

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12394 of 2014**

Arising Out of PS.Case No. -532 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District-  
MUZAFFARPUR

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1. Rai Shesh Narayan Prasad Verma, Son of Late Ganesh Prasad  
2. Vimla Devi Wife of Rai Shesh Narayan Pd. Verma,  
both Resident of Vidya Bihar, Colony, Road No. 4, behind Laxmi High Schol, P.S.-  
Sitamarhi, Distt. Sitamarhi, at present residing at I-C Bhagwati-Inclave, Thela-Toli,  
P.S.- Allgore, Distt. Ranchi (Jharkhand).

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Priyambada, Wife of Alok Kumar, Daughter of Diwakar Prasad Verma, Resident  
of Moh. Sukhdeo Niketan, Road No.01, Juran-Chhapra, Maharaji, Police-Station  
Brahmpura, District Muzaffarpur.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar  
Mr. Manmohan Kumar  
For the State : Mr. Humayu Ahmad Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**

**ORAL JUDGMENT**

**Date: 21-07-2017**

This is an application under Section 482 of the Cr.P.C. for quashing the order dated 11.09.2013 passed by S.D.J.M. Muzaffarpur, East, in Complaint Case no. 532 of 2013 in Trial no. 1998 of 2014 whereunder the petitioners were summoned to face the trial for the offence under Sections 323 and 498-A/34 of the I.P.C and Section 4 of the D.P. Act.

2. Heard both sides and perused the record.

3. The petitioners are in-laws of the O.P. no. 2 against whom, it has been alleged that they used to torture and assault the complainant since the date of marriage. The complainant was married with the son of these petitioners on 08.05.2002. The petitioner no. 1 had



taken Rs. 5 lacs through cash and demand draft before settlement of marriage. She has been further alleged that on the following day of her marriage, the petitioner no. 1 called her father at Janmasa and demanded cash amount of Rs. 3 lacs or a Maruti Car for performing *Bidagari*. The demand was not fulfilled and she was tortured at her matrimonial place for said demand. The husband of complainant was in military service and at the place of his posting at different places she was tortured by these petitioners. The complainant in her S.A. and other witnesses have supported the allegation of demand of money, torture and assault by these petitioners. The Magistrate on being satisfied with materials on record has summoned these petitioners to face the trial. The defence as set out by the learned counsel for the petitioners has to be considered at the stage of trial. The order summoning the petitioners suffers no illegality requiring any interference under inherent power under Section 482 of the Cr.P.C.

4. This application is devoid of merit and is, accordingly, dismissed.

(Sanjay Kumar, J)

rohit/-

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